

REMARKS

The last Office Action has been carefully considered.

It is noted that claims 1, 6 are rejected under 35 U.S.C. 103(a) over the patent to Thoney.

Claim 3 is rejected under 35 U.S.C. 103(a) over the patent to Thoney in view of the patent to Kubota.

Claims 4, 5 and 7 are rejected under 35 U.S.C. 103(a) over the patent to Thoney in view of the patent to Borrelli.

Also, the disclosure is objected to for some informalities.

Finally, the Examiner indicated that claim 2 is not rejected over the art.

In connection with the Examiner's objection to the disclosure, applicants have amended the specification and claims to provide

corresponding abbreviations and spellings of the elements. It is believed that the Examiner's grounds for the formal objections are therefore eliminated.

The Examiner's indication of the allowability of claim 2 has been gratefully acknowledged. In connection with this indication, this claim has been canceled and a new claim 8 was submitted which combines the features of the original claims 1 and 8. It is believed that this claim is now in allowable condition.

At the same time, it is respectfully submitted that claim 1, the broadest claim on file, together with other claims defines an invention which is now disclosed in the references and can not be derived from them as a matter of obviousness.

The present invention as defined in independent claims includes an optical waveguide having a core which is formed in correspondence with the present invention, and also an optical amplifier, an optical power amplifier, a laser, and an optical device which includes such an optical waveguide.

The patent to Thoney does not disclose a fiber or a waveguide, it is not described in the specification and defined in any of the claims. The present invention deals exclusively with an optical waveguide. In contrast, the invention disclosed there is a pulsed microchip laser formed as transversely not structured element of monocrystal or glass without a waveguide.

In the invention disclosed in the reference a co-doping of the laser active ions erbium with cerium and ytterbium is utilized, for the purpose of improved pump energy transfer to the erbium. The co-doping with cerium does not serve for producing of reduced sensitivity against radioactive radiation.

The beam transverses the microlaser. Each laser is traversed by its beam, since the beam is produced in the laser active part, and exits outwardly.

Each laser can be coupled with corresponding means in a laser (by focusing of the output radiation with a suitable lens for example), or by so-called butt coupling of the fiber with a limiting surface of the laser or

coupling mirror. In contrast, the applicant's invention is composed of a flat fiber, and must not be coupled in such.

While the invention disclosed in the patent to Thoney is a pulsed laser, the present invention is not limited to this specific feature and instead can be pulsed or continuous.

In view of the above presented remarks it is believed to be clear that the patent to Thoney does not teach the new features of the present invention as defined in the claims. The other references also do not teach these features.

It is therefore respectfully submitted that the new features of the present invention which are now defined in the claims are not disclosed in the references. These features also can not be derived from the references as a matter of obviousness since the references do not provide any hint or suggestion that such features must be or can be provided in them.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



Michael J. Striker
Attorney for Applicants
Reg. No. 27233

FAX RECEIVED

JUN 05 2003

TECHNOLOGY CENTER 2800